

HOUSE BILL 1690

By Clemmons

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 71, relative to the Tennessee Hunger-
Free Students Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding
the following as a new part:

49-6-2501.

This part shall be known and may be cited as the "Tennessee Hunger-Free
Students Act."

49-6-2502.

As used in this part:

(1) "Meal application" means an application for free or reduced-fee meals
pursuant to the national school lunch program and school breakfast program;
and

(2) "School":

(A) Means any public elementary or secondary school that
receives state financial assistance; and

(B) Includes a local education agency.

49-6-2503.

This part applies to a school that participates in the national school lunch
program or school breakfast program pursuant to the Tennessee School Nutrition
Standards Act, compiled in part 23 of this chapter.

49-6-2504.

(a) A school shall provide:

(1)

(A) A free, printed meal application in every school enrollment packet; or

(B) If the school chooses to use an electronic meal application, an explanation in school enrollment packets of the electronic meal application process and instructions for how parents or guardians may request a paper application at no cost; and

(2) Meal applications and instructions in a language that parents and guardians understand. If a parent or guardian cannot read or understand a meal application, the school shall offer assistance in completing the application.

(b) If a school becomes aware that a student who has not submitted a meal application is eligible for free or reduced-fee meals, the school shall complete and file an application for the student under the authority granted by 7 CFR 245.6(d).

(c) Subsections (a) and (b) do not apply to a school that provides free meals to all students in a school year in which the school does not collect meal applications from students.

(d) The department of education, in consultation with LEAs, shall ensure that all homeless students receive free school meals pursuant to the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11301 et seq.), and shall ensure that the proper record keeping, as required by federal law, is maintained.

49-6-2505.

(a) A school:

(1) Shall provide a United States department of agriculture reimbursable meal to a student who requests one, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal; and

(2) Shall not require that a student throw away a meal after it has been served because of the student's inability to pay for the meal or because money is owed for earlier meals.

(b) If a student owes money for five (5) or more meals during a school year, a school shall:

(1) Verify with the department of education that the student is on the list of students categorically eligible for free meals;

(2) Make at least two (2) attempts, not including the application or instructions included in a school enrollment packet, to reach the student's parent or guardian and have the parent or guardian fill out a meal application; and

(3) Require a principal, assistant principal, or counselor to contact the parent or guardian to offer assistance with a meal application, determine if there are other issues within the household that have caused the child to have insufficient funds to purchase a school meal, and offer any other assistance that is appropriate.

49-6-2506.

(a) A school shall not:

(1) Publicly identify or stigmatize a student who cannot pay for a meal or who owes a meal debt, including, but not limited to, requiring that a student wear a wristband or hand stamp;

(2) Require a student who cannot pay for a meal or who owes a meal debt to do chores or other work to pay for meals; provided, that chores or work required of all students regardless of a meal debt is permitted; or

(3) Prohibit a student who cannot pay for a meal or who owes a meal debt from:

- (A) Participating in a school-related event or activity;
- (B) Graduating or participating in a graduation ceremony; or
- (C) Receiving a diploma.

(b) A school shall direct communications about a student's meal debt to the student's parent or guardian and not to the student. Nothing in this subsection (b) prohibits a school from sending a student home with a letter addressed to the student's parent or guardian.

49-6-2507.

(a) A student shall not be held personally responsible for a meal debt regardless of the student's age when the meal debt was incurred.

(b) A school shall not require a student's parent or guardian to pay fees or costs from collection agencies hired to collect a meal debt.

(c) For purposes of this section, "student" means any person, regardless of age, enrolled in a school who is eligible to receive free or reduced-fee meals pursuant to the national school lunch program and school breakfast program.

SECTION 2. Tennessee Code Annotated, Section 49-1-302(a)(14), is amended by deleting the subdivision and substituting instead the following:

Prescribe rules and regulations to establish a program whereby a local school may withhold all grade cards, diplomas, certificates of progress, or transcripts of a student who has incurred a debt to the school or a student who has taken property that belongs to a local school or any agency of the school until the student makes restitution to the school for the debt. The rules and regulations shall not permit the imposition of sanctions against:

- (A) A student who is without fault; or

(B) A student who owes a meal debt. For purposes of this subdivision (a)(14)(B), "student" means any person, regardless of age, enrolled in a public school who is eligible to receive free or reduced-fee meals pursuant to the national school lunch program and school breakfast program.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2018-2019 school year and each school year thereafter.